

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JANE DOE #1, JANE DOE #2,
JANE DOE #3, JANE DOE #4,
SALLY DOE #1, JOHN DOE #1,
JOHN DOE #2, and JAMES ROE #1,

Plaintiffs,

vs.

DENNIS BALAAM, Washoe County
Sheriff, in both his individual and
official capacities, et al.,

Defendants.

3:04-CV-214-ECR (RAM)

**REPORT AND RECOMMENDATION
OF U.S. MAGISTRATE JUDGE**

This Report and Recommendation is made to the Honorable Edward C. Reed, Jr., Senior United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR IB 1-4.

On September 12, 2005, the court granted Mr. Evans' Motion to Withdraw as Counsel for Jane Doe #4 and she was given thirty (30) days in which to find new counsel or proceed *pro per* (Doc. #37). Since that time Plaintiff Jane Doe #4 has had absolutely no involvement in this case.

On February 2, 2007, a Notice was sent pursuant to Local Rule 41-1 to counsel and Jane Doe #4. Her notice was returned as undeliverable (Doc. #41).

The undersigned was advised at a status hearing on March 23, 2007, that Jane Doe #4 is out of prison, but no one knows of her whereabouts.

1 LSR 2-2 provides that "The plaintiff shall immediately file with the court written
2 notification of any change of address. The notification must include proof of service upon each
3 opposing party or the party's attorney. Failure to comply with this rule may result in dismissal
4 of the action with prejudice."

5 In view of Plaintiff Jane Doe #4's failure to respond to the court's notice pursuant to
6 Local Rule 41-1 (Doc. #40) and her failure to comply with LSR 2-2 it appears that she has
7 abandoned her case and that the court should enter a dismissal of the claims of Plaintiff Jane
8 Doe #4 with prejudice.

9 **RECOMMENDATION**

10 **IT IS HEREBY RECOMMENDED** that the District Court enter an order dismissing
11 the claims of Plaintiff Jane Doe #4 with prejudice.

12 The parties should be aware of the following:

13 1. That they may file, pursuant to 28 U.S.C. § 636(b)(1)(C) and Rule IB 3-2 of the
14 Local Rules of Practice, specific written objections to this Report and Recommendation within
15 ten (10) days of receipt. These objections should be titled "Objections to Magistrate Judge's
16 Report and Recommendation" and should be accompanied by points and authorities for
17 consideration by the District Court.

18 2. That this Report and Recommendation is not an appealable order and that any
19 notice of appeal pursuant to Rule 4(a)(1), Fed. R. Civ. P., should not be filed until entry of the
20 District Court's judgment.

21 DATED: March 23, 2007.

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UNITED STATES MAGISTRATE JUDGE